

RESOLUTION NO. 2004-02

A RESOLUTION TO ESTABLISH CHARGES TO BE ASSESSED PERSONS FOR THE DISPOSAL OF REFUSE AT THE SILVERTON TRANSFER STATION.

WHEREAS, the Town Board of Trustees of the Town of Silverton is responsible for the administration of the Refuse Fund which is financed by Town Utility Customers;

WHEREAS, the Town Board of Trustees is aware that certain Users of the refuse facility are not Town Utility Customers and, therefore, are not paying any disposal fees for the services provided;

WHEREAS, the Town Board of Trustees is aware that certain Users are depositing more Non-Compaction Waste to the transfer station facility than the system is designed to handle without additional expense;

WHEREAS, the Town Board of Trustees is aware that revenues paid to the Refuse Fund by Town Utility Customers are adequate to cover the expenses necessary to transport and dispose of Non-Compaction waste materials from Users who are Town Utility Customers and do not dispose of more waste than the average residential user;

WHEREAS, the Town Board of Trustees is aware that if more Non-Compaction Waste is transported and disposed of than what the revenue stream is designed to finance, the Refuse Fund will not have adequate funds available to pay such excess expenses;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF SILVERTON, COLORADO that:

1. The Town Board defines the following terms to have specific meaning within the context of this Resolution:
  - a. Compaction Waste means any material which is brought to the Silverton Transfer Station which is composed of food waste, paper products, rubber, leather, textiles, wood products less than 1" diameter, plastics, glass, ceramics, grass clippings, metal cans, and any other waste materials which are similar in nature, easily compacted, and normally found in the waste stream generating from the average American household.
  - b. Non-Compaction Waste means any material which is brought to the Silverton Transfer Station which is composed of lumber, concrete, sheetrock, shingles, roofing materials, flooring materials, dirt, rock, tree limbs exceeding 1" diameter, pipe, steel, refrigerators, washers, dryers, appliances, and any other waste materials which are similar in nature and are not easily compacted.
  - c. "Construction Waste" means "Non-Compaction Waste" that emanates from demolition, remodel, repair, construction, or reconstruction work on buildings or structures.
2. Compaction Waste shall be deposited only to the Compactor and Compaction Waste Containers, and Non-Compaction Waste shall be deposited only to the Open Containers unless the Attendant instructs the User to deposit waste materials in a different location. Regardless of which container the waste is deposited to, the Attendant shall collect the appropriate fees based upon the type of waste deposited -- not which container the waste is deposited into.
3. Construction equipment, motor vehicles, trailers, and other waste materials posted at the Transfer Station as not being accepted for disposal at the facility shall not be deposited by any User to the facility.
4. Any individual, person, partnership, corporation, or other entity who is not listed as a Utility Customer on the Utility Billing Accounts of the Town of Silverton and who desires to utilize the services provided at the Silverton Transfer Station shall pay a disposal fee to the Attendant, prior to depositing any waste material at the facility, in accordance with the following schedule:

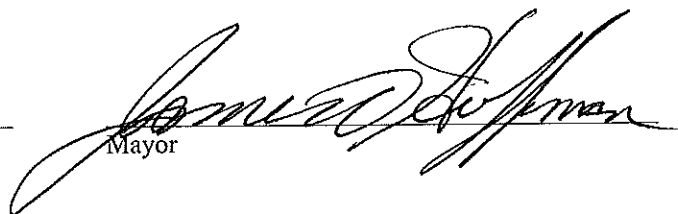
Compaction Waste	1/3 <sup>rd</sup> the Maximum Rate specified in the Transfer Station Services Agreement
Non-Compaction Waste	The Maximum Rate specified in the Transfer Station Services Agreement

5. Any individual, person, partnership, corporation, or other entity who is listed as a Utility Customer on the Utility Billing Accounts of the Town of Silverton and who desires to deposit Construction Waste at the Silverton Transfer Station shall first obtain a permit from Town Hall for authorization to dispose of Construction Waste at the Transfer Station. The individual must complete the permit prior to arrival at the Transfer Station and surrender the permit to the Attendant who shall confirm the load measurements before authorizing the User to dispose of Construction Waste at the Transfer Station. The Attendant shall initial and retain the Construction Waste permit as approved and shall turn in all such permits to the Town Clerk-Treasurer for billing and collection purposes. The Town Clerk-Treasurer shall bill the property owner for the disposal of Construction Waste emanating from the owner's property at the Maximum Rate specified in the Transfer Station Services Agreement for Non-Compaction Waste.
6. The Attendant at the Silverton Transfer Station is hereby required to estimate and record the volume of waste materials deposited by any User who is not a Town Utility Customer or who deposits Construction Waste at the Silverton Transfer Station.
  - a. If the User is not a Town Utility Customer, the Attendant is authorized to and shall collect the applicable fee based on the schedule contained in Paragraph 4, above. The Attendant shall collect the applicable fees prior to allowing the User to dispose of any waste at the Transfer Station.
  - b. If the User is a Town Utility Customer who deposits Construction Waste at the facility, the Attendant shall receive a Construction Waste Disposal Permit from the User which shows the property owner's name, account number, property address/description, and the User's legibly recorded measurements of dimensions of each waste load to be disposed of, and the Attendant shall confirm the load measurement as recorded by the User by initialing the permit and authorizing disposal of the waste material. If the Attendant does not confirm the dimensions of the Construction Waste load, the User may not deposit any Construction Waste to Transfer Station facilities until a load measurement is recorded and confirmed and disposal is authorized by the Attendant.
  - c. The Attendant shall submit the above described disposal permits and any fees collected with the Town Clerk-Treasurer within one week of receiving said permits or disposal fees
7. This Resolution shall be effective immediately upon adoption and shall be immediately implemented by the Transfer Station Service Contractor.

ADOPTED this 14<sup>th</sup> day of June, 2004.

ATTEST:

  
Town Clerk-Treasurer

  
Mayor